

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Minnesota Surety & Trust Company,

05-0550 (PAM/JSM)

Plaintiff,

v.

ORDER

Wray Trucking Co., LLC; John Vance Co., Inc.; JB's Hot Shot Express; Ameri-Co Carriers; Bad Boyz Xpress, Inc.; Rockytop, Inc.; Champion Delivery, Inc.; Circle III Service, Inc., R.B. Browns Trucking, Inc.; LDJ Company; Snyder Trucking; JDT Enterprises; Steel & Machinery Transportation, Inc.; Hedrick Trucking, LLC; Phoenix Transportation Services, LLC; Hughes Trucking; R & J Trucking; Harmon Transport; C & N Express; Cheetah Transportation; B.A.M. Transportation; Buccaneer Enterprises, Inc.; KST Express, Inc.; D & S Express; Davidsons Trucking; West Coast Towing of Central Florida; Tollefsrud Trucking LLC; JL Transportation; Spitale Transportation; Don Hagen & Sons, Inc.; and Does 1 through 150;

Defendants.

This matter is before the Court on Plaintiff's Motion for Default Judgment. Plaintiff filed a Complaint for Interpleader on March 15, 2005, and an Amended Complaint for Interpleader on June 7, 2005. Between March 23, 2005 and September 21, 2005, Plaintiff served on each Defendant a Summons and Complaint. Plaintiff filed Returns of Service for Defendants Hedrick Trucking, LLC; KST Express, Inc.; and Spitale Transportation on November 28, 2005. On November 29, 2005, Plaintiff filed Waivers of Service from Defendants Champion Delivery, Inc.; JDT Enterprises; Hughes Trucking; R & J Trucking; Don

Hagen & Sons, Inc.; Circle III Service, Inc.; LDJ Company; Davidsons Trucking; Wray Trucking Co., LLC; Bad Boyz Xpress, Inc.; R.B. Browns Trucking; C & N Express; B.A.M. Transportation; Ameri-Co Carriers; Rockytop, Inc.; Phoenix Transportation Services, LLC; Cheetah Transportation; Buccaneer Enterprises, Inc.; D & S Express; Tollefsrud Trucking LLC; Snyder Trucking; Steel & Machinery Transportation, Inc.; Harmon Transport; West Coast Towing of Central Florida; JL Transportation; John Vance Co., Inc.; and JB's Hot Shot Express. None of these Defendants have plead or otherwise defended against the Complaint or Amended Complaint. Default judgment therefore is proper. See Fed. R. Civ. P. Rule 55(a). Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for Default Judgment (Docket No. 15) is **GRANTED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 12, 2006

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge